

Message Text

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70

ACTION EUR-25

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E.O. 11652: N/A

TAGS: PINT, GW

SUBJECT: RADICALS IN THE CIVIL SERVICE

1. ON SEPTEMBER 20, CHANCELLOR BRANDT AND THE MINISTERS PRESIDENT OF THE LAENDER AGREED THAT THEIR DECISION OF JANUARY 1972, REGARDING APPOINTMENT OF RADICALS TO GERMANY'S CIVIL SERVICES WOULD, IN PRINCIPLE, BE ADHERED TO IN THE FUTURE.

2. THIS MEANS THAT RADICALS--E.G. MEMBERS OF THE DKP-- WILL BE EXCLUDED FROM PUBLIC SERVICE UNLESS THEY CAN PROVE THAT THEY WILL LOYALLY SUPPORT THE BASIC LAW. AS THE 1972 AGREEMENT HAS BEEN INTERPRETED IN DIFFERENT WAYS BY THE LAENDER, THE FEDERAL GOVERNMENT PLANS WITHIN TWO MONTHS, TO SUBMIT LEGISLATION AMENDING THE LAWS GOVERNING EMPLOYMENT IN THE PUBLIC SERVICES TO ENSURE UNIFORM APPLICATION. ADDITIONALLY IT IS HOPED THAT THE FEDERAL CONSTITUTIONAL COURT WILL DECIDE WHETHER ARTICLE 33 OF THE BASIC LAW (RE THE LOYALTY OF CIVIL SERVANTS) OR ARTICLE 21 (RE THE PRIVILEGES OF MEMBERS OF POLITICAL PARTIES) TAKES PRECEDENCE. THE CHANCELLOR HAS ALREADY INDICATED THAT HE CONSIDERS ARTICLE 33 TO HAVE PRIORITY.

3. COMMENT: THE SPD HAS OBVIOUSLY DECIDED, AT LEAST ON THIS ISSUE, TO IGNORE ITS PURIST MINORITY IN FAVOR OF LIMITED OFFICIAL USE

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POLITICAL COMMON SENSE. THE DECISION WAS MADE EASIER BY

THE FACT THAT THE RADICAL LEFT IS AT THE MOMENT IN A
BELEAGUERED POSITION FOR A NUMBER OF REASONS, THE ISSUE
OF RADICALS IN THE PUBLIC SERVICES BEING ONLY ONE OF
THEM. FURTHERMORE, THE GENERAL ATMOSPHERE IN THE WAKE OF
CRITICISM OF THE USSR FOR PERSECUTING INTELLECTUALS NO
DOUBT ALSO AIDED THE GOVERNMENT IN DECIDING TO TAKE A
SOMEWHAT STIFFER LINE THAN EXPECTED.
HILLENBRAND

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